

United States District Court
Southern District of New York

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Toehl Harding,	:	
	:	Hon. Robert P. Patterson
Plaintiff,	:	07 Civ. 08767 (RPP)
	:	
-against-	:	
	:	DECLARATION OF
David Naseman,	:	<u>RYAN WEINER</u>
	:	
Defendant.	:	
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Ryan Weiner hereby declares under the penalties of perjury, pursuant to 28 U.S.C. § 1746:

1. I am associated with the law firm of Cohen Lans LLP, attorneys for defendant David Naseman ("Naseman"). I submit this declaration in opposition to plaintiff Toehl Harding's motion to dismiss one aspect of Naseman's counterclaim.

2. Attached as Exhibit A is a true and correct copy of Naseman's Answer and Counterclaim dated December 7, 2007.

3. Attached as Exhibit B is a true and correct copy of the Property Settlement Agreement by and between David Naseman and Toehl Harding dated May 1993.


4. Attached as Exhibit C is a true and correct copy of the Defendant's Memorandum of Law in Support of His Motion to Enforce a Settlement or for Summary Judgment filed on or about May 27, 2008.

5. Attached as Exhibit D is a true and correct copy of Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment filed on or about June 20, 2008.

[Remainder of page intentionally left blank]

I declare under the penalty of perjury that the foregoing is true and correct.

Executed in New York, New York this 15th day of August, 2008.



Ryan Weiner